

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent)
application of:)
)
Foley et al.)
)
Serial No. New Application)
)
Filed Herewith)
) Atty Docket No. 4002-3363/PC459.06
METHODS AND INSTRUMENTS FOR)
INTERBODY SURGICAL TECHNIQUES)

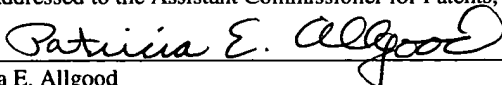
INFORMATION DISCLOSURE STATEMENT

Hon. Assistant Secretary and
Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R § 1.56 and 1.98,
Applicant discloses the following references on the attached Information Disclosure
Citation Form.

This information has not been previously submitted in this application by
Applicant. Copies of the listed references are not being provided pursuant to 37 C.F.R.
§1.98(d) since they were previously submitted in the parent application, Serial No.
09/692,980, filed October 20, 2000.

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| Express Mail Label No. <u>EV 332 723 811 US</u> | Date of Deposit <u>July 23, 2003</u> |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231. | |
|  _____ Patricia E. Allgood | |

The filing of this information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56 or that any information cited is prior art.

This Statement is being submitted with the filing of the application. Therefore no fees are believed due for its consideration. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Douglas A. Collier", is written over a horizontal line.

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| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 1 of 2 | | | | Atty. Docket No. 4002-3363/PC459.06 | | Serial No. New Application | |
| | | | | Applicant Foley et al. | | | |
| | | | | Filing Date Herewith | | Group | |

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| Examiner | Date Considered |
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*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

#230925

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| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 2 of 2 | | | | Atty. Docket No. 4002-3363 /PC459.06 | | Serial No. New Application | | |
| | | | | Applicant Kevin T. Foley et al. | | | | |
| | | | | Filing Date Herewith | | Group | | |
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| Examiner | | | | Date Considered | | | | |
| *Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | | |
| #230925 | | | | | | | | |